

## HOUSE JOINT RESOLUTION NO. 15

INTRODUCED BY C. FISCUS

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING AN INTERIM STUDY OF WATER POLICY TO RECOMMEND OPTIONS FOR PUTTING MORE OF THE STATE'S WATER TO USE BY THE PEOPLE; AND REQUIRING THAT THE FINAL RESULTS OF THE STUDY BE REPORTED TO THE 64TH LEGISLATURE.

WHEREAS, the Montana Constitution provides that all surface, underground, flood, and atmospheric waters within the boundaries of the state are the property of the state for the use of its people and are subject to appropriation for beneficial uses as provided by law; and

WHEREAS, 95% of our surface water flows out of state by the force of gravity, and 33% of the 5% portion that remains is lost to evaporation; and

WHEREAS, much of Montana's water originates in closed basins where there are additional requirements for ground water use, even though the use of ground water is a minuscule percentage of the total water supply; and

WHEREAS, Montanans are denied the use of water because of a draconian water right permitting process.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the Legislative Council be requested to designate an appropriate interim committee or statutory committee, pursuant to section 5-5-217, MCA, to:

(1) study the history of Montana's water supply, including the prevalence of massive weather systems;

(2) evaluate the legislative and administrative history of basin closures and determine if the closures were necessary;

(3) consider options for putting to use more of the water originating in the state for beneficial and economic use before it leaves the borders;

(4) evaluate the process for permitting new uses of water and recommend revisions to make the process easier and faster; and

1 (5) suggest methods to promote the use of all surface, underground, flood, and atmospheric waters within  
2 the boundaries of the state for the economic benefit of the people.

3 BE IT FURTHER RESOLVED, that all aspects of the study, including presentation and review  
4 requirements, be concluded prior to September 15, 2014.

5 BE IT FURTHER RESOLVED, that the final results of the study, including any findings, conclusions,  
6 comments, or recommendations of the appropriate committee, be reported to the 64th Legislature.

7 - END -